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Magistrate Judge Stewart D. Aaron  
Southern District of New York  
Daniel Patrick Moynihan  
United States District Court  
500 Pearl Street - Courtroom 11C  
New York, New York 10007

Re: Antolini vs. McCloskey, et al  
Case No.: 19-cv-09038-GBD

Dear Judge Aaron:

Due to my ongoing personal health issues I am seeking a one week extension of time to respond to your order to show cause currently on for June 3, 2021. This is my second request for an adjournment and because of the nature of the matter I am not able to delegate the responsibility of responding. Plaintiff's counsel does not believe there is any prejudice to defendants whatsoever concerning the nature of this request. This short extension does not affect any applicable time table.

Per your rules, I called this morning but was unable to leave a voice mail message with the lawyer for defendants.

Respectfully,

ENDORSEMENT: Although the Court is aware that Plaintiff's counsel has been actively litigating other cases in this District throughout the period since the Court issued its Order to Show Cause on May 6, 2021, including the period after his initial extension request of May 14, 2021 (see, e.g., *Antolini v. Rosenblum*, No. 19-CV-06264 (LGS) (JLC); *Antolini v. Nieves*, No. 19-CV-07645 (VSB) (RWL)), this request is GRANTED.

The Court will grant no further extensions to Plaintiff in connection with this Order to Show Cause. The Court admonishes Plaintiff for persistent failure to abide by the Court's Individual Rules, which provide at Paragraph I.D that "[r]equests . . . to extend a deadline must be made . . . after consultation with all affected parties, and must state . . . whether all affected parties consent [and,] if not, the reasons given for refusing." Such consultation is mandatory. The Court notes that the requesting party is not excused from its obligation to consult by the fact that the other party states that it is recording a telephone call, nor by any purported "[i]nability" to leave a voice mail message." The Court notes that such mandatory consultation may occur via email. The Court will grant no further extension request from Plaintiff in which Plaintiff fails to make a showing of reasonable due diligence to consult with Defendant prior to making such request. SO ORDERED.

Dated: June 1, 2021

SHF/ec

To all via Pacer

s/  
Stuart H. Finkelstein

